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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,526	03/18/2005	Christian Bruelle-Drews	11336/769(P03029US)	8282
27879 7590 03/07/2008 INDIANAPOLIS OFFICE 27879 BRINKS HOFER GILSON & LIONE ONE INDIANA SQUARE, SUITE 1600 INDIANAPOLIS, IN 46204-2033			EXAMINER ARTHUR JEANGLAUD, GERTRUDE	
			ART UNIT 3661	PAPER NUMBER
			NOTIFICATION DATE 03/07/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentofficeactions@brinkshofer.com
svessely@usebrinks.com
dhasler@usebrinks.com

Office Action Summary	Application No. 10/528,526	Applicant(s) BRUELLE-DREWS, CHRISTIAN	
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/18/05;11/6/06;6/4/07;7/5/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Khavakh et al. (U.S. Patent No. 6,298,303).

Regarding claim 1, 11, 23, 35, 42, Khavakh et al. disclose a method, navigation system with navigation server as shown in Fig. 1, comprising: a route calculation module (18) for calculating a route to a predetermined destination; a route overview module (12) for creating a route overview list as a function of the route; and an acoustic message module (29) for generating at least one acoustic route overview message based on the route overview list associated with the route.

Regarding claims 2, 12, 24, 25, 44, Khavakh et al. disclose the acoustic route overview message is output on at least one loudspeaker (29) as shown in Fig.1.

Regarding claims 3, 13, 26, Khavakh et al. disclose the acoustic route overview message is output in response to a request for a route overview entered by a user (See Fig. 1, user interface 31).

Regarding claims 4, 14, 15, 27, 38, 45, Khavakh et al. disclose the route overview list includes at least one item selected from a group of items including a street

Art Unit: 3661

name on the route, a name of a place on the route, a via on the route, a city on the route, an alternative street name on the route, a business location on the route, and a landmark on the route (See col. 4, lines 53-66).

Regarding claims 5, 9, 16, 20, 28, 32, 39-40, 46-47, Khavakh et al. disclose the acoustic route overview message is limited to a predetermined amount of time; and the acoustic route overview message includes an anticipated time of arrival (via time object 69; see col. 7, lines 66-col. 8, line 18).

Regarding claims 6-8, 17-19, 29-31, Khavakh et al. disclose the route overview list is shortened based on at least one predetermined weighting factor to fit within the predetermined amount of time; and also the predetermined weighting factor is a function of a popularity ranking associated with each item contained in the route overview list; and the predetermined weighting factor is based on a length of a road segment to be traveled on the route (See col. 6, lines 47-61).

Regarding claims 10, 21-22, 33-34, 41, 48-49, Khavakh et al. disclose the acoustic message module retrieves at least one audio file from an acoustic message database (30 as shown in Fig. 1) to generate the acoustic route overview message.

Regarding claims 36, 37, 43, Khavakh et al. disclose the navigation control unit is connected with the navigation server by a wireless access device; and the navigation server transmits the acoustic route overview message to the navigation control unit using the wireless access device (See col. 3, lines 58-66).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERTRUDE ARTHUR JEANGLAUD whose telephone number is (571)272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gertrude Arthur-Jeanglaude/
Primary Examiner, Art Unit 3661